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SUBJECT: KIBAKI, ODINGA AGREE ON KEY CIVIL SERVICE
APPOINTMENTS

REF: NAIROBI 1041

SUMMARY

¶1. President Kibaki and Prime Minister Odinga have agreed on the appointment of high-level civil service appointments for the new grand coalition government. On April 22, President Kibaki announced the names of Permanent Secretaries (PS) for the 42 Cabinet positions, as well as 23 Secretaries for major departments of certain ministries. Many are holdovers from the previous government, but there are some new faces. Six PSs from the previous government were retired, but another six -- including controversial Head of Civil Service Francis Muthaura -- were retained despite exceeding the mandatory retirement age of 55. This has led to speculation that a second round of appointments could follow in the months to come. Our analysis of names shows that 25 of the 42 PSs have PNU sympathies, while the remaining 17 are ODM-affiliated. The ethnic distribution of these positions is diverse. The appointment of PSs was expected to be a contentious issue (reftel A), so the quick agreement is good news. Kibaki and Odinga continue to discuss appointments to parastatal companies and ambassadorial positions, though these are unlikely to be announced as a package. End Summary.

Continuity, with new blood, too

¶2. President Kibaki and Prime Minister Odinga have agreed on the appointment of high-level civil service appointments for the new grand coalition government. On April 22, President Kibaki announced the names of Permanent Secretaries (PS) for the 42 Cabinet positions, as well as 23 Secretaries for major departments of certain ministries. The appointment of PSs and Secretaries is important because they are the lead operational officers in government. They are responsible for policy implementation and the day-to-day management of government ministries, departments, and corporations, and wield enormous influence. Twenty four of 31 permanent secretaries from the previous government were retained,

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although ten were reassigned. Six PSs from the prior government, having exceeded the mandatory retirement age of

55, were retired. Interestingly, Kibaki retained six PSs and appointed two new PSs who are older than 55. One of the six who was retained despite being of retirement age is Head of Civil Service Francis Muthaura. Expectations were that Muthaura would be retired for his staunch defense of presidential prerogatives during the Cabinet negotiations. Some contacts have concluded that Kibaki did not want to force Muthaura into retirement for fear it be interpreted as a concession to ODM, but they expect that Muthaura will resign or be replaced within the next year.

¶3. Academia was the largest source of new PS and Secretary appointments, in keeping with past practice. A number of appointments were made on political grounds, such as the placement of Mohamed Isahakia as PS of the Prime Minister's Office. Isahakia was a key figure in the Cabinet negotiations. The new Ministry of Labor PS, Beatrice Naliaka Wasike, was appointed as a reward for having been bumped from a promised nominated MP slot that President Kibaki gave instead to Ford Kenya leader Musikari Kombo. Likewise ODM-K appointed the new Secretary for Sports, Daniel Maanzo, as compensation for having failed to obtain a nominated MP slot.

Political and Ethnic Affiliations

¶4. An analysis of political tendencies of PSs indicate that 25 lean towards PNU, while 17 are seen as pro-ODM. Holdover PSs tend to be PNU supporters, but there are a number of retained PSs with ODM loyalties. In slotting PSs into ministries, the major ministries controlled by PNU (Internal Security, Defence, Justice, Finance, and Energy) all received PSs perceived to be pro-PNU. Two of ODM's major ministries (Local Government and the Prime Minister's Office) are

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likewise staffed with ODM-leaning PSs, while the third is staffed by PS perceived to be pro-PNU. Otherwise, it appears that the mix of Ministers and PSs is heterogeneous; 11 PNU ministers will work with an ODM-leaning PS, while 12 ODM ministers will work with a PNU-leaning PS.

¶5. Looking at PSs from an ethnic viewpoint, GEMA (Kikuyu, Embu, Meru) is most highly represented, with 12 PSs. Kalenjin/Maasai are second with eight, while Luhya have six; Muslims (Somali, Arabs, etc) have five PSs. There are four Luo PSs, while the remaining PS slots are distributed among western Kenyan Bantus (Kisii/Kuria) and Coastal groups (Taita and Mijikenda).

COMMENT

¶6. The quick resolution of what was expected to be a sticky issue is a positive step. In contrast to the Cabinet appointments, no major objections to the slate of PSs have been voiced by the parties. Several of the retirement-aged PSs who were reappointed to put their respective ministries in order and may leave in the not-too-distant future. This will pave the way for a subsequent round of PS appointments. Discussions are ongoing regarding appointments to head parastatal corporations and ambassadorial posts. There is no clear indication when these may be resolved. End Comment
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